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Counsel for Defendant
Yvonne Chavez

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|----------------------------|---|--|
| UNITED STATES OF AMERICA, |) | Case No. CR 11-00549 EJD |
| |) | No. CR 11-00561 EJD |
| Plaintiff, |) | |
| |) | STIPULATION AND PROPOSED |
| vs. |) | ORDER CONTINUING SENTENCING |
| |) | HEARING |
| YVONNE LEAH CHAVEZ, ET AL. |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |

STIPULATION

Defendant Yvonne Leah Chavez, by and through her attorney Michael W. Armstrong, and the United States, by and through Assistant United States Attorney Thomas O'Connell, hereby agree and stipulate to continue the sentencing hearing now scheduled for November 5, 2012, at 1:30 p.m., to December 10, 2012, at 1:30 p.m. before the Honorable Edward J. Davila.

The parties so stipulate and request this extension because the probation officer, Benjamin Flores, requires more time in which to prepare his presentence report in this matter. Once provided with Mr. Flores' report, both parties will need adequate time in which to review the report and make their objections and changes if necessary.

1 The parties agree that the time between November 5, 2012 through December 10, 2012 is
2 properly excluded pursuant to the Speedy Trial Act, Title 18 United States Code, sections
3 3161(h)(7)(A) and 3161(h)(7)(B)(iv) in the interests of justice.

4 IT IS SO STIPULATED.

5
6 Date: October 31, 2012

/S/

Michael W. Armstrong
Attorney for Defendant YVONNE CHAVEZ

8
9 Date: October 31, 2012

/S/

Thomas M. O'Connell
Assistant United States Attorney

ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that the sentencing hearing currently set for November 5, 2012, is continued to December 10, 2012, at 1:30 p.m. For the reasons stated above, the Court further finds that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(8)(7)(iv). Accordingly, time shall be excluded from November 5, 2012 through December 10, 2012.

IT IS SO ORDERED.

Date: 11/2/2012



Hon. Edward J. Davila
United States District Judge